

**City of Evansville Plan Commission
Regular Meeting
Tuesday, May 7th, 2024, 6:00 p.m.**

MINUTES

1. **Call to Order** at 6:00pm.
2. **Roll Call:**

Members	Present/Ab sent	Others Present
Mayor Dianne Duggan	P	Colette Spranger (Community Dev. Director)
Aldersperson Gene Lewis	P	Roger Berg
Aldersperson Abbey Barnes	P	Paul Liesse
Bill Lathrop	P	Joe Geoffrion
John Gishnock	P	Jason Sergeant, City Administrator
Mike Scarmon	P	
Eric Klar	A	

3. **Motion to approve the agenda, by Lewis, seconded by Gishnock. Approved unanimously.**
4. **Motion to waive the reading of the minutes from the May 7, 2024 meeting and approve them as printed, by Lewis, seconded by Gishnock. Approved unanimously.**
5. **Civility Reminder.** Duggan noted the City’s commitment to conducting meetings with civility.
6. **Citizen appearances other than agenda items listed.**
7. **Action Items.**
 - A. **Review, and Action for Land Division Application 2024-04 a preliminary and final plat on parcel 6-27-559.5403 (Outlot 3, Windmill Ridge)**
 - i. **Review Staff Report and Applicant Comments.**
Spranger summarized the report.
 - ii. **Plan Commissioner Questions and Comments.**
Lathrop asked about the percentage of land is undeveloped.
 - iii. **Motion with Conditions**
Motion to recommend Common Council approve the Preliminary and Final Plat Application for the Windmill Ridge First Addition subdivision, finding that it is in the public interest and substantially complies with Chapter 110 of the Municipal code, subject to the following conditions:
 1. **Land Divider’s Agreement completed and executed by both City and Developer.**

2. Applicant submits Irrevocable Letter of Credit for City Engineer approval
3. Applicant submits to City amended preliminary and final plats showing additional area acquired for recreational trail easement along west edge of plat prior to recording.

Motion by Scarmon, seconded by Barnes. Motion carried unanimously.

B. Review and Motion to Recommend Land Divider's Agreement for Windmill Ridge First Addition

i. Motion

Motion to recommend Common Council approve the Land Divider's Agreement for Windmill Ridge First Addition.

Motion by Lewis, seconded by Scarmon. Motion carried unanimously.

C. Public Hearing, Review, and Action for Conditional Use Application 2024-02 for Outdoor Commercial Food and Beverage Service on parcel 6-27-624.1 (137 E Main St)

i. Review Staff Report and Applicant Comments.

Spranger summarized the report.

ii. Public Hearing

Opened at 6:22pm, closed at 6:28pm.

iii. Plan Commissioner Questions and Comments.

Lathrop asked why a fence is required. Barnes discussed other businesses with outdoor service. Sergeant explained the nuances of the application and the ordinances regarding the comments.

iv. Motion with Conditions

Motion to approve a Conditional Use Permit for Outdoor Commercial Food and Beverage Service per section 130-538 on parcel 624.1 located at 137 E Main Street, finding that the benefits of the use outweigh any potential adverse impacts, and that the proposed use is consistent with the required standards and criteria for issuance of a CUP set forth in Section 130-140(3)(a) through € of the Zoning Ordinance, subject to the following conditions:

1. Hours of operation shall be no earlier than 6am and no later than 9:30pm.

2. Fencing (temporary or otherwise) to be erected at end of paved driveway to prevent unauthorized access to the outdoor service area when in use.

3. Any outdoor lighting must be dark sky compliant, is not to stay on past 9:30pm, and shall not create a glare or shine directly upon neighboring property.

4. The business operator shall obtain and maintain all City, State, and County permits and licenses as may be required.

5. Any substantial changes to the business model shall require a review of the existing Conditional Use Permit.

6. Use cannot create a public nuisance as defined by local and state law.

7. The Conditional Use Permit is recorded with Rock County Register of Deeds.

Motion by Gishnock, seconded by Lathrop. Motion carried unanimously.

D. Zoning Code Updates

i. Review Proposed Changes and Discussion

ii. Public Hearing

Opened at 6:59pm. Roger Berg asked where the suggested changes were coming from. Joe

Geoffrion asked about about minimum/maximum lot sizes. Public hearing closed at 7:15pm.

iii. Plan Commissioner Questions and Comments.

iv. Motion to Recommend

Motion by Lewis, seconded by Gishnock. Motion carried 4-2.

8. Discussion Items.

A. Review of City Housing Density Map

9. Community Development Report

10. Next Meeting Date:

A. Tuesday, July 2, 2024 at 6:00 p.m.

11. Adjourn. 7:28 PM.